ಜಿಲ್ಲಾ ಪರಿಷತ್ತು ಮತ್ತು ಮಂಡಲದ ಚುನಾವಣೆಗಳು.

1079 (1249) ಶ್ರೀ ಎಂ.ವಿ ವೆಂಕಟಪ್ಪ (ಮುಳಬಾಗಿಲು) : ಮಾನ್ಯ ಗ್ರಾಮಾಣಾಭಿವೃದ್ಧಿ ಮತ್ತು ಪಂಚಾಯತ್ ರಾಜ್ ಮಂತ್ರಿಗಳು ಈ ಕೆಳಕಂಡ ಪ್ರಶ್ನೆಗಳಿಗೆ ದಯವಿಟ್ಟು ಉತ್ತರಿಸುವರೆ ?

ಅ) ರಾಜ್ಯದಲ್ಲಿ ಇತ್ತೀಚಿಗೆ ಅವಧಿ. ಮುಗಿದ ಜಿಲ್ಲಾ ಪರಿಷತ್ ಮತ್ತು ಮಂಡಲ ಪಂಚಾಯತ್ ಚುನಾವಣೆಗಳನ್ನು ಯಾವಾಗ ಮಾಡಲು ನಿರ್ಧರಿಸಿದ್ದಾರೆ ;

ಆ) ಹಾಗೆ ಮಾಡುವ ಮುನ್ನ 1991ನೆ ಇಸವಿಯ ಜನಗಣತಿ ಆಧಾರದ ಮೇಲೆ ಸ್ಥಳಗಳನ್ನು ಕಾದಿರಿಸಲು ಕ್ರಮಕೈಗೊಳ್ಳಲಾಗುವುದೇ ;

ಇ) ಲೋಕಸಭೆಯಲ್ಲಿ ಮಂಡಿಸಲಾಗಿರುವ 72ನೇ ಪಂಚಾಯ್ತಿ ರಾಜ್ಯದ ರಾಜ್ಯಾಂಗ ತಿದ್ದುಪಡಿಯಲ್ಲಿ ಅಡಕವಾಗಿರುವ ವಿಷಯಗಳನ್ನು ರಾಜ್ಯದಲ್ಲಿ ಅನುಮೋದನೆ ಮಾಡಲು ಸರ್ಕಾರದವರು ಕ್ರಮಕೈಗೊಳ್ಳುವರೇ ;

ಈ) ಈಗ ಹಾಲಿ ಇರುವ ರಾಜ್ಯದ ಜಿಲ್ಲಾ ಪರಿಷತ್ ಮಂಡಲ ಪಂಚಾಯ್ತಿ ಕಾಯಿದೆಗೂ 72ನೇ ರಾಜ್ಯಾಂಗ ಪಂಚಾಯ್ತಿ ರಾಜ್ಯದತಿದ್ದುಪಡಿಗೂ ಇರುವ ಮುಖ್ಯವಾದ ವ್ಯತ್ಯಾಸಗಳೇನು ?

ಶ್ರೀ ಎಂ. ಮಲ್ಲಿಕಾರ್ಜುನ ಖರ್ಗೆ (ಗ್ರಾಮಾಣಾಭಿವೃದ್ಧಿ ಮತ್ತು ಪಂಚಾಯತ್ ರಾಜ್ ಸಚಿವರು) :

ಅ) ಕಳೆದ ಐದು ವರ್ಷಗಳಲ್ಲಿ ಜಿಲ್ಲಾ ಪರಿಷತ್ ಮತ್ತು ಮಂ. ಪಂಚಾಯ್ತಿಗಳ ಕಾರ್ಯ ನಿರ್ವಹಣೆ ಅವುಗಳ ಸಾಮರ್ಥ್ಯ ಹಾಗೂ ನ್ಯೂನತೆಗಳನ್ನು ಪರಿಶೀಲಿಸಿದೆ. ಹೀಗೆ ಗಮನಿಸಲಾದ ನ್ಯೂನತೆಗಳನ್ನು ಸರಿಪಡಿಸಲು ಮತ್ತು 72ನೇ ಸಂವಿಧಾನ ತಿದ್ದುಡಿಯ ವಿಧೇಯಕದ ಹಿನ್ನೆಲೆಯಲ್ಲಿ ಸರ್ಕಾರವು ಈಗಿರುವ ಪಂಚಾತ್ ರಾಜ್ ಕಾಯಿದೆಗೆ ಒಂದು ಸಮಗ್ರ ತಿದ್ದುಪಡಿಯ ಮಸೂದೆಯು ಜಾರಿಗೆ ಬಂದನಂತರ ಅದನ್ನು ಬೇಗನೆ ಚುನಾವಣೆ ನಡೆಸಲಾಗುವುದು.

ಆ) ಹೊಸ ಕಾಯಿದೆಯ ಉಪಬಂಧಗಳನ್ನು ಅನುಸರಿಸಿ ಕ್ರಮ ತೆಗೆದುಕೊಳ್ಳಲಾಗುವುದು.

ಇ) ಹೌದು

ಈ) ಅನುಭಂದದಲ್ಲಿ ಕೊಡಲಾಗಿದೆ.

ANNEXURE

Statement indicating the important area of difference between the existing Zilla Parishad Act and the 72nd Constitution (Amendment) Bill 1991

Sl. No.	Areas	Provision in the Existing Act	Provisions in the 72nd Amendment Bill
1	2	3	4
1.	Panchayat Raj Bodies	There shall be a Mandal Panchayat (M.P) Taluk Panchayat Samithi (TPS) and a Zilla Parishad (ZP) in each district. (Sec.4.135 and 138)	There shall be Panchayat at village Level Legislature of the State may by law, provide for the Constitution of Panchayats at the Intermediate Level or the District Level or both. (Art. 243 B(1) and (2))
2.	Constitution (a) Village Level	All the seats in a panchayat at the Village level (MP) shall be filled by persons directly elected from territorial constituencies (Sec. 135)	Members at village Level and Intermediate level, If any, Shall be elected from Territorial constituencies (Art. 243 c(2)
	(b) Intermediate Level	Taluk Panchayat at Samithi is a representative body(Sec.135)	
	(c) District Level	Members elected from the territorial constituencies (Sec. 140)	Seats at Dist. Level, if any, shall be filled by election in such manner as may be decided by Legislature (Art. 243 c(3).
3.	Representation	(A) Provides for representation of: i) MLAs and MLCs ii) Members of Zilla Parishads of the area. iii) Pradhans of Mandal panchayats iv) President TAPCMS v) President PLDB vi) Five members from SC/ ST/BC and women Co-operated in the Taluk panchayat Samithi (Sec. 135)	(A) Provides for representation of Chairpersons of panchayat at the village level in the panchayat at the Intermediate level. If any, or in the panchayats at the district level and The Chairpersons of the Panchayats at intermediate level if any in the Panchayats at the District level if any.
		(B) Provides for representation of: i) President DCC Bank Co-operated member ii) MLAs, MLCs, and MPs, in the Zilla Parshad (Sect. 139)	(B) MLAs and MPs in intermediate and district level panchayats. (Art 243 C(4)

1	2	3	4
4.	voting Rights	Legislators and M.Ps have the voting right at the district level body (sec. 139 (3) (a)	Only elected member have voting rights 243. C. (5) (8)
5.	Chairpersons	At village and Dist. Level from among the members elected from Territorial Constutencies and MLAs at Taluk Level (sec. 43, 135, 165)	The Chairpersons of-(i) A. Panchayat at the Village level or intermediate level, if any shall be chosen by Direct election; and (ii) A panchayat at the Dist. Level, if any, shall be chosen by election in such manner as may be decided by the Legislature (Art. 243 C(7)
6.	Motion of No Cofidence in the Pradhan or Upapradhan of MP. the Adhyaksha or Upa-adhyaksha of Zp.	By Two-thirds majority of the total number of members of Village and district level bodies (sec. 47(9), 167(3)	No Indication.
7.	Reservation of seats.	i) 25% for women. ii) 2 members from Backward classess to be nominated by Z.P. No member from these classes is elected to the M.P. iii) In case of SCs and STs in the same proportion to the Total No. of elected members in a MP/ZP as the population of the SC & STs in Mandal or District bears to the total population of the area : Provided not less than 18% of the total No. of seats in the Mandal panchayat/Zilla Parishad. (Sec.5, 142 and 143)	i) Not less than one-third for women, (Art.243 D(3) ii) The No. of seats reserved for SC & ST shall bear the proportion to the total No. of seats to be filled by direct election as the population of SC or ST in that Panchayat area bears to the total population of that area (Art 243 D(i)
8.	Reservation of Chairpersons	No reservation	Reservation for women & SC/ STs in the same proportion as far seats for members. State Legilature may provide for reservation to Backward classes (Art. 243 D(4) (5) (6)

1	2	3	4
9.	Duration	The member of a Mandal panchayat/ Zilla Parishad shall hold office for a term of five years from the date of publication of their names under sec.3(9) and 159 respectively. (Sec. 30,40,160 and 161)	Every panchayat shall continue for five years from the date of appointed for its 1st. posting and no longer and the exeration of the said period of five years shall operate as a dissolution or 4hq4 pqnd qyq4 (Art.243 E(i).
10.	Power to Impose Taxes	Every M.P. shall levy tax upon buildings, vehicles, bus stands, markets entertainments etc. (sec.116) Zilla parishads are not empowered to levy taxes.	The Legislature of the state may by law, authorise, a Panchayat to levy, collect and appropriate taxes, tolls, duties and fees (Art243 H(a)
11.	Finance Commission.	i) Finance Commission to make recommendation to the Govt. as to the pattern of assiatance and the principles which should govern the grants-in-aid from Govt. to the Zilla parishads and from Zilla parishads to Mandal panchayats.	i) Finance Commission to review the financial position of the panchayats and to make recommendation to the Governor as to the principles which should govern the distribution between the state and the panchayats of the net proceeds of the taxes, duties, tolls, and fees, leviable by the state and the allocation between the panchayats at all levels of their respective shares of such proceeds; and the determination of the taxes, tools, and fees which may be assigned to the panchayats.
		ii) The recommendation of the Finance Commission shall be accepted by the government with such modifications as are deemed necessary with effect from such date as is notified in the official Gazette.	ii) The Governor shall cause every recommendation made by the commission together with an explanatory memoradum as to the action taken there on to be laid before the Legislature of the state.